



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert R. HAYES) Examiner: James A. Menefee
)
) Art Unit: 2828
Serial No.: 09/838,676)
) Our Ref: B-4093 618554-9
)
Filed: April 19, 2001) Notice of Allowance dated
) April 15, 2004
)
Title: "FREQUENCY MODULATED) Confirmation No.: 8155
LASER WITH HIGH)
MODULATION BANDWIDTH") Date: July 13, 2004

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Sir:

For the Examiner's convenience, a copy of the "COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE," which was filed via telefax with the USPTO on July 8, 2004 with a Certificate of Telefax Transmission is enclosed herewith.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United State Postal Service with sufficient postage as first-class mail in an envelope addressed to:

MAIL STOP ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
on July 13, 2004.

By:

Avelyn Malonzo



COPY

PATENT

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)	Art Unit: 2828
)	
Patent Appl: 09/838,676)	Our Ref: B-4093 618554-9
)	
Filed: April 19, 2001)	Date: July 8, 2004
)	
For: "FREQUENCY MODULATED LASER)	Re: <i>Comments on Statement of</i>
WITH HIGH MODULATION)	<i>Reasons for Allowance</i>
BANDWIDTH")	

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is filed in response to the Examiner's statement of reasons for allowance presented in the Notice of Allowance, dated April 15, 2004. The Applicants hereby request that this paper be entered as Comments on the Statement of Reasons for Allowance. **All remarks herein are made without prejudice.**

REMARKS

In the section containing the Examiner's statement of reasons for allowance, the Examiner states that, "Regarding independent claim 1, there is not taught or disclosed in the prior art a frequency modulated laser including means for applying a uniform electric field across a laser cavity, the electric field propagating substantially perpendicular to the direction of laser light and having the same intensity along the length of the cavity" However, Claim 1 recites, in part, "means for applying a uniform electric field across said laser cavity, said electric field propagating in a direction substantially perpendicular to the direction of propagation of laser light within the laser cavity and having substantially the same intensity along the length dimension of the laser cavity at any one point in time." Therefore, the Applicant submits that the Examiner has not used the

exact language of Claim 1 in the Reasons for Allowance. The Applicants further submit that the scope of Claim 1 is defined by the language of Claim 1 and its equivalents.

In regard to independent Claim 24, the Examiner states that "the means is specified as a traveling wave structure." The Examiner appears to be attempting to link the features of Claim 24 to the features as set forth in Claim 1. However, as indicated, Claim 24 is an independent claim. As such, the reasons for allowing Claim 24 should be based upon the features recited in Claim 24.

Therefore, the Applicant objects to the Examiner's Reasons for Allowance in regard to Claims 1 and 24, since these reasons do not at least recite the specific text used in the allowed independent claims. Therefore, the Applicant respectfully requests that the stated reasons for allowance for Claims 1 and 24 be withdrawn. The Applicant further request that if the Examiner feels compelled to issue Reasons for Allowance, such reasons should use the actual text of each of the allowed independent claims.

I hereby certify that this correspondence is being facsimile transmitted to Fax No. 703-872-9306 and addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

July 8, 2004

(Date of Deposit)

Ross A. Schmitt


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(Signature)

7-8-2004

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Respectfully submitted,



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